

### **REMARKS**

Claims 10-12, 16-19, 23, 24, and 41-52 are currently pending. By this Amendment, no claims have been cancelled or added. Thus, claims 10-12, 16-19, 23, 24, and 41-52 are currently at issue.

#### **I. Rejections Under 35 U.S.C. § 102**

In Paragraph 2 of the Office Action, the Examiner rejected claims 48-52 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,494,002 to Gieseke ("Gieseke"). Applicants traverse these rejections in light of the amendments herein.

Claim 48 includes, among other elements, "a lip extending from the base, the lip having a textured surface, the textured surface having a plurality of protrusions thereon, the protrusions extending a distance from the textured surface, the distance being substantially smaller than a length, a width, and a thickness of the lip." Gieseke does not disclose, teach, or suggest this feature of claim 48. As seen in FIG. 2A of Gieseke, the protrusions (44) of the clip of Gieseke extend from the lip (45) a much greater distance than the thickness of the lip. Accordingly, Gieseke does not disclose at least this element of claim 48, and cannot anticipate claim 48. Applicants note that the clip of Gieseke cannot be modified to greatly decrease the length of the spikes (44), because the clip of Gieseke operates by penetrating the spikes (44) into the sealing means (86). (Col. 7, Lns. 45-48). Because the spikes (44) are bent backward across the lip (45), if the spikes (44) would be less than or equal to the thickness of the lip (45), they would not be able to penetrate into the sealing means (86).

Claims 49-52 depend from claim 48 and include all the elements thereof. Thus, for the same reasons stated above with respect to claim 48, Gieseke does not anticipate claims 49-52.

## **II. Rejections Under 35 U.S.C. § 103**

### **A. Claims 11-12 and 16-17**

At Page 3 of the Office Action, the Examiner rejected claims 11-12 and 16-17 under 35 U.S.C. § 103(a) as being unpatentable over Gieseke in view of U.S. Patent No. 4,106,239 to Bancroft et al. ("Bancroft"). Applicants respectfully traverse these rejections.

Claim 11 includes, among other elements, "a textured surface ... having a plurality of protrusions distributed across an entirety of the textured surface to create a surface texture on the textured surface." Gieseke does not disclose this element of claim 11. Notably, the Office Action does not even state that Gieseke discloses this element of claim 11. Thus, on this basis alone, no prima facie case of obviousness has been established with respect to claim 11. Applicant submits that the clip of Gieseke does not contain a textured surface as recited in claim 11. The muntin clip of Gieseke contains only two protrusions (44) on the surface adjacent the pane separator (86). (See Gieseke, FIGS. 1-4). The protrusions (44) of the clip of Gieseke are not distributed across an entirety of a textured surface. Additionally, these protrusions (44) do not create a surface texture on the clip of Gieseke. Accordingly, Gieseke does not disclose, teach, or suggest this element of claim 11.

Bancroft also does not disclose, teach, or suggest this element of claim 11, and the Office Action does not state otherwise. Thus, the cited references do not disclose, teach, or suggest all the elements of claim 11, and no prima facie case of obviousness can be established with respect to claim 11.

Claims 12, 16, and 17 depend from claim 11 and include all the elements of claim 11. Thus, for the same reasons stated above with respect to claim 11, no prima facie case of obviousness has been established with respect to claims 12, 16, and 17.

### **B. Claims 18-19 and 23-24**

At Page 4 of the Office Action, the Examiner rejected claims 18-19 and 23-24 under 35 U.S.C. § 103(a) as being unpatentable over Gieseke in view of Bancroft. Applicants respectfully traverse these rejections.

Claim 18 includes, among other elements, "a textured surface ... having a plurality of protrusions distributed across an entirety of the textured surface to create a surface texture on the textured surface." As described above with respect to claim 11, Gieseke does not disclose, teach, or suggest a textured surface as recited above. The protrusions (44) of the clip of Gieseke are not distributed across an entirety of a textured surface and do not create a surface texture on the textured surface. Accordingly, Gieseke does not disclose, teach, or suggest this element of claim 18.

Bancroft also does not disclose, teach, or suggest this element of claim 18, and the Office Action does not state otherwise. Thus, the cited references do not disclose, teach, or suggest all the elements of claim 18, and no prima facie case of obviousness can be established with respect to claim 18.

Claims 19, 23, and 24 depend from claim 18 and include all the elements of claim 18. Thus, for the same reasons stated above with respect to claim 18, no prima facie case of obviousness has been established with respect to claims 19, 23, and 24.

### **C. Claims 41-47**

At Page 5 of the Office Action, the Examiner rejected claims 41-47 under 35 U.S.C. § 103(a) as being unpatentable over Gieseke in view of Bancroft. Applicants respectfully traverse these rejections in light of the amendments herein.

Claim 41, as amended, includes, among other elements, "a lip extending from the base, the lip having a textured surface, the textured surface having a plurality of protrusions thereon, each protrusion having a length, a width, and a height that are substantially smaller than a length, a width, and a thickness of the lip." Gieseke does not disclose, teach, or suggest this element of claim 41. As described above with respect to claim 48, at least the height of the protrusions (44) of the clip of Gieseke is much greater than the thickness of the lip (43, 45) from which they project. Additionally, as seen in FIGS. 1-4 of Gieseke, the width of the protrusions (44) of Gieseke are also much greater than the thickness of the lip (43, 45), at least at the base of each of the protrusions (44). Accordingly, Gieseke does not disclose, teach, or suggest this element of claim 41.

Bancroft also does not disclose, teach, or suggest this element of claim 41, and the Office Action does not assert otherwise. Accordingly, no prima facie case of obviousness can be established with respect to claim 41.

Claims 42-47 depend from claim 41 and include all the elements of claim 41. Thus, for the same reasons stated above with respect to claim 41, no prima facie case of obviousness has been established with respect to claims 42-47.

### **III. Claim 10**

The Office Action Summary indicates that claim 10 is rejected, however the Office Action does not state any grounds for rejection of claim 10. Applicants submit that claim 10 is patentably distinct from the references cited with respect to the other pending claims. For example, neither Gieseke nor Bancroft discloses, teaches, or suggests at least the element, “a leg extending from the second side of the base ... the first surface having at least one projection extending therefrom adapted to engage the muntin bar end and the second surface having at least one projection extending therefrom adapted to engage the muntin bar end.” Thus, claim 10 is patentable over the cited references.

**CONCLUSION**

In view of the foregoing, Applicant respectfully requests reconsideration of the Examiner's rejections and allowance of Claims 10-12, 16-19, 23, 24, and 41-52 in the present Application. Applicant submits that the Application is in condition for allowance and respectfully requests an early notice of the same.

Please charge any necessary fees to our Deposit Account No. 19-0733.

Respectfully submitted,

Dated: January 22, 2008

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